

REMARKS

Claims 1-8 and 10 are pending in the application and stand rejected. Claims 1 and 10 are amended. No new matter is added. In light of the aforementioned amendments and following remarks, Applicant earnestly solicits favorable consideration.

On the Merits

Claim Rejections - 35 U.S.C. § 103(a)

Claims 1-2 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ball Tracking and Virtual Replays for Innovative Tennis Broadcasts, 15th International Conference on Pattern Recognition, 2000, Proceedings, Vol. 4, pg 152-156 (hereinafter "*Pingali*") in view of *Pizano*. Although Applicant respectfully disagrees with the Examiner's rejection, in order to expedite prosecution of the application Applicant has amended independent claims 1 and 10.

Independent Claim 1:

Independent claim 1 requires:

¹a score information obtaining section configured to obtain score information indicative of scores of the respective players which vary as the sport match or game proceeds;

²a play event information obtaining section configured to obtain and recognize play event information including characteristic movements of each of the players from picture information included in the contents, the picture information containing images of respective of the obstacle and the players, the score information displayed on a screen, and like images; and

³an image substance recognizing section **configured to make a comparison** between a score information item obtained immediately before a point in

time of generation of the play event information and a score information item obtained immediately after the point in time and make reference to a result brought by the play event information, thereby recognizing a substance of an image provided by the play event information. Emphasis added.

The Examiner contended (before the claim amendment) that element 2 above is disclosed by *Pingali* on page 154. Specifically, the Examiner contended that play event information would comprise the path of the tennis ball and the location of where the tennis ball landed. Furthermore, the Examiner contends that this information is “indicative” of characteristic movement of the players.

Applicant has amended claim 1 to clarify the claimed language. Said amendment recites that the play event information obtaining section is configured to obtain and *recognize* a characteristic movement of each player.

Support for the Amendment can be found on page 1, “an image recognition apparatus.” Additionally, please also see page 5 where it discusses:

For the image recognition apparatus to be capable of recognizing images including an image of more complicated movement of each player, it is desirable that the play event information obtaining section include a play event index....

See also page 17 where it states:

Furthermore specifically, the players’ basic movement, such as “forehand swing,” “backhand swing” and “overhead swing,” are identified by totally judging the positional relativity between each player’s position and the ball position and the positional relation between each player’s position and each of the court lines and net lines at the time of ball hitting.

Applicant respectfully submits that *Pingali* does not disclose or fairly suggest this feature. In particular, *Pingali* only seems to deal with *tracking the ball flight*, not movement of the respective players. As such, Applicant respectfully submits that *Pingali* does not disclose the claimed invention, particularly, recognizing characteristic movements of the players. Applicant further points to the title of the *Pingali* disclosure: **Ball Tracking** and Virtual Replays for Innovative Tennis Broadcasts. (Emphasis added.)

The play event information in *Pingali* merely indicates the path of the tennis ball and the location of where the ball landed but not indicates characteristics movements of the players. As such, Applicant respectfully asks that the rejection be withdrawn.

Independent Claim 10:

As independent claim 10 contains similar features to those discussed above regarding claim 1, the same arguments presented above regarding claim 1 also apply to claim 10. As such, Applicant respectfully asks that the rejection be withdrawn.

In view of the above, Applicant respectfully submits that the claimed invention is allowable and ask that the rejection under 35 U.S.C. §103 be reconsidered and withdrawn. Applicant respectfully submits that this case is in condition for allowance and allowance is respectfully solicited.

Application No.: 10/522,236
Art Unit: 2624

Amendment under 37 C.F.R. § 1.116
Attorney Docket No.: 052033

If any points remain at issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the local exchange number listed below.

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read 'D. Hubbs', is positioned above the printed name.

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